



CANNON BUILDING  
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**STATE OF DELAWARE**  
**BOARD OF COSMETOLOGY AND BARBERING**

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PUBLIC MEETING MINUTES:	<b>Board of Cosmetology and Barbering</b>
MEETING DATE AND TIME:	<b>Monday, October 27, 2014 at 9:00 a.m.</b>
PLACE:	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , Second Floor of the Cannon Building
MINUTES APPROVED:	

**MEMBERS PRESENT**

Linda Wilson, Professional Member  
Carol Guilbert, Secretary, Public Member  
Albert Niezgoda, Professional Member  
Marina Pini, Professional Member  
Kathleen Sherwin, Public Member  
Gregory Meyers, Professional Member  
Gina Marsilli, Professional Member  
Sherry Wilkins, Public Member

**MEMBERS ABSENT**

Tien Le, Professional Member  
Hillary Reid, Professional Member  
Derrick Reed, Professional Member  
Lauren Pressey, Professional Member  
Domonique Vicks, Professional Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Eileen Kelly, Deputy Attorney General  
Maggie Strauss, Administrative Specialist II  
Gayle MacAfee, Deputy Director

**OTHERS PRESENT**

Seth Heiland	Dana LeCompte
Ming Lau	Than May
Deanna Ford	Michelle Lam
Michael Paoli	Felisha Oberly
Kristy Conaway	Julia Win
Jaime Mack	

### **CALL TO ORDER**

Ms. Wilson called the meeting to order at 09:15.

Ms. Kelly announced that Ms. LeCompte from DHSS would provide her presentation to the Board now, amending the agenda to move item 4.5 to the beginning, and then progress through the remaining agenda.

### **Review of Proposed Public Health Regulation Changes**

Ms. LeCompte introduced herself, along with her section chief and deputy section chief. Ms. LeCompte continued by reading the draft of proposed public health regulations as they pertain to Cosmetology and Barbering. The Board was concerned over requiring mobile salons to have a written agreement with a salon for use as a servicing area. The Board would also like DHSS to include threading as a prohibited act. Ms. LeCompte will draft the changes and represent them for Board review next month. She also provided a timeline for the effective date of these changes to be 2015. She will keep the Board posted as the process progresses.

### **REVIEW OF MINUTES**

A motion was made by Ms. Guilbert, second by Ms. Sherwin, to approve the September 29, 2014 meeting minutes. The motion carried unanimously.

### **UNFINISHED BUSINESS**

#### **Re-Review of Applications**

After further review of documentation, a motion was made by Mr. Meyers, second by Mr. Niezgoda to reverse the PTD decision from last month and to grant Ms. Lam a reciprocal cosmetology license based on review of a letter from her employer. The motion carried unanimously.

After further review of documentation, a motion was made by Ms. Pini, second by Mr. Meyers to reverse the PTD decision from last month and to grant Mr. Truong a reciprocal license based on review of tax documentation. The motion carried unanimously.

A motion was made by Ms. Pini, second by Ms. Guilbert to propose to deny the applications of Salon Slayed, Amy Figurski, Hein Van Vo and Thu Hein Thi Vo. The motion carried unanimously.

#### **Review & Signing of Final Order(s)**

The Board tabled the signing of the Final Orders of Theresa Kerner and Lucy Croll until November.

### **NEW BUSINESS**

#### **Ratification of Applications**

A motion was made by Ms. Guilbert, second by Mr. Meyers to accept the Aesthetician ratification(s) of: Alexis Koll. The motion carried unanimously.

A motion was made by Ms. Guilbert, second by Mr. Meyers to accept the Aesthetician Instructor ratification(s) of: Selina M. Francis. The motion carried unanimously.

A motion was made by Ms. Guilbert, second by Mr. Meyers to accept the ratification of Barber applicant(s) Garfield A. Bent, Heriberto Espinosa and Kline Valentin. The motion carried unanimously.

A motion was made by Ms. Guilbert, second by Mr. Meyers to accept the ratification of Barber Instructor applicant(s) Maurice M. Heard. The motion carried unanimously.

A motion was made by Ms. Guilbert, second by Mr. Meyers to accept the Cosmetologist ratifications of: Evette D. Palgutta, Anh Quynh Nguyen, Maria Asley, Veronica Brewer, Dung Thi Hong Nguyen, Xuan Thi Le, Thuy T. Huynh, Tanya L. Benson, Holly E. Young, Nga T. Nguyen, Morgan N. Chick, Reyna E. Gonzalez, Lillian M. White, Ashley Skinner Hansen, Richard LeRoi Dyton, Mariam Saleh and Lonyai T Downing. The motion carried unanimously.

A motion was made by Ms. Pini, second by Mr. Meyers to accept the Nail Technician application ratifications of: Christina M. Ruzicka, Yen T. Vo, Huynh M. Tran, Tam V. Huynh, Tara L. Haupt, Yen Thi Hoang Nguyen, Erin Penelope Evans, Duc H. Le, Yenphuong Truong and Desirae Hammel. The motion carried unanimously.

A motion was made by Ms. Pini, second by Mr. Meyers to accept the Cosmetology School application ratification of D Nails & Spa. The motion carried unanimously.

#### Review of Reciprocity Applications

A motion was made by Ms. Guilbert, second by Mr. Meyers to approve the reciprocity application(s) of: Thuy Thi Thu Tran, Kelly M. Greenwood, Thang V. Le, Thom Thi Vu, Mary Treeon and Christy Ha Nguyen. The motion carried unanimously.

A motion was made by Mr. Meyers, second by Ms. Pini to approve contingent the reciprocity applications of Mai H. Le for review of a high school transcript. The motion carried unanimously.

#### Review of Shop/Salon Applications

A motion was made by Ms. Pini, second by Ms. Marsilii to approve the Shop/Salon Application(s) of: Tropical Spa-Lon, Sunlight Salon of Newark, Inc., El Pueblo Dominican Hair Salon, Gloss Blowdry Beauty Bar, Sapphire Beauty Studio, Right Touch, LLC dba Hand & Stone Massage and Facial Spa, Hair Cuttery, Savvy Hair Studio, LLC., Fancy Nails, Inc. and Greenleaf Hair Design. The motion carried unanimously.

A motion was made by Ms. Pini, second by Ms. Marsilii to approve the application(s) of East Coast Flair, Teased Styling Studio, D'Yajaira Dominican Hair Salon, Rudeboyspecial Barbershop, California Nails and Nest Spa & Skin Care Boutique contingent upon proof of a city/town business license. The motion carried unanimously.

#### Review of Applications by the DAG

Under guidance from Ms. Kelly, a motion was made by Ms. Pini, second by Mr. Meyers to approve the nail tech exam application of Wendy Porter. The motion carried unanimously.

Under guidance from Ms. Kelly, a motion was made by Mr. Meyers, second by Ms. Pini to propose to deny the Nail Tech application of Phong Thanh Ly for not meeting the reciprocal experience requirements of licensure. The motion carried unanimously.

A motion was made by Mr. Meyers, second by Ms. Pini to amend the agenda to add Laureena Moody (Cosmetology Instructor application) to the agenda. The motion carried unanimously.

A motion was made by Ms. Marsilii, second by Ms. Guilbert to table the application of Ms. Moody for review of 2 years of tax documents to serve as proof of experience. The motion carried unanimously.

Complaint Status

08-29-13 - Hearing Officer	08-34-14 – Assigned
08-104-13 – Hearing Officer	08-35-14 – Assigned
08-116-13 - Assigned	08-36-14 – Attorney General
08-02-14 – Attorney General	08-37-14 – Attorney General
08-05-14 – Assigned	08-38-14 – Closed
08-16-14 – Attorney General	08-39-14 – Assigned
08-25-14 – Assigned	08-40-14 – Attorney General
08-27-14 – Attorney General	08-41-14 – Attorney General
08-29-14 – Closed	08-43-14 – Attorney General
08-31-14 – Assigned	08-44-14 – Assigned
08-32-14 – Attorney General	08-45-14 – Assigned
08-33-14 – Assigned	

Review of Nail Tech Program

Mr. Wells presented to the Board his request for Board approval of the new nail technology program available at Delaware skills Center. The Board advised him that they do not approve courses and he should contact the Dept. of Education for curriculum approval.

Miscellaneous Review & Discussion

The Board reviewed a document submitted from the DOE on behalf of Henriette O'Neill. A motion was made by Ms. Pini, second by Mr. Meyers to allow her to take the exam based on this document. The motion carried unanimously.

The Board reviewed statute 5109 as it relates to reciprocity, along with language from other states reciprocal requirements. Ms. Kelly indicated that such stringent requirements can create a hardship for applicants. A motion was made by Ms. Sherwin, second by Ms. Marsilii to have the DAG draft language to reflect changing the requirement from "...5 years' experience immediately preceding..." to "...4 out of the last 5 years' experience immediately preceding...". The motion passed with 7 affirmative votes.

The Board reviewed the list of approved schools in DE as provided by PCS. Ms. Strauss will also review the internal data base to ensure the listing is correct and provide the information back to PCS.

The Board reviewed regulation 2.0 as it relates to temporary permits. A motion was made by Ms. Sherwin, second by Mr. Meyers to have the DAG draft the following language in 2.3: change 1 year to 6 months, strike the need to repeat all education requirements and successfully pass the required exam(s). The applicant can also apply for an apprentice license during the 6 month waiting period. The motion carried unanimously.

**CORRESPONDENCE**

Ms. Wilson summarized a letter from the Hair Academy indicating they are changing their name to the Hair Academy School of Barbering and Beauty".

Ms. Wilson also shared a letter and conference program from the National Association of Barber Boards.

**PUBLIC COMMENT**

Ms. Oberly addressed the Board with her concerns over their motion to draft proposed changes to regulation 2.3. She feels that if a person cannot pass the exam in a 2 year period there should be a "punishment" in place. She disagrees with the proposed changes.

Ms. Ford asked the Board for clarification on exactly what she needed to have her salon application approved. Ms. Strauss replied that her application was approved contingent upon receipt of a City of Dover business license.

**NEXT SCHEDULED MEETING**

The next Board meeting will be held on Monday November 24, 2014 at 9:00 a.m. in conference room A. This will be the last scheduled meeting for 2014.

**ADJOURNMENT**

A motion was made by Mr. Meyers, second by Ms. Pini, to adjourn the meeting. The motion carried unanimously. The meeting went off record and adjourned at 1100.

Respectfully submitted,  
Maggie Strauss  
Administrative Specialist II